

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

CRIMINAL CASE  
NO.04-10378 GAO

ROSS ELLIOT

Defendant

REPORT & ORDER ON  
FINAL STATUS CONFERENCE

ALEXANDER, U.S.M.J.

On May 5, 2005, parties appeared before this Court for a Final Status Conference. With regard to the following issues, the parties have represented that:

1. There are no features of case that deserve special attention or modification of the standard schedule;
2. Discovery is complete and there are no pending discovery motion;
3. There is no supplemental discovery anticipated;
4. (a) Total amount of time ordered excluded under the Speedy Trial Act: December 16, 2004, through December 20, 2004 (4 days); December 20, 2004, through February 9, 2005 (62 days); February 9, 2005, through March 22, 2005 (41 days); March 22, 2005, through May 5, 2005 (44 days) and May 5, 2005, through June 2, 2005 (28 days), for a total of one hundred and one hundred and eighty-three (183) days as of May 5, 2005;  
(b) The total amount of time to proceed to trial is seventy (70) days as of June 2, 2005;  
(c) There may be dispositive motions to filed that would cause additional excludable time under the Speedy Trial Act;
5. (a) The defendant does not intend to raise a defense of insanity.  
(b) The defendant does not intend to raise a defense of public authority.
6. The Government has requested notice of alibi by the defendant and the defendant has indicated that he does not intend to offer an alibi defense;

7. (a) There are anticipated motions to suppress or dismiss which will require a ruling by the District Judge before trial;
- (b) A briefing schedule has been established;
8. There is need for scheduling a hearing on dispository motions and trial before the District Judge;
9. Resolution of case without trial is possible;
10. If trial were to become necessary, the estimated duration of trial would be one (1) week;
11. There are no other matters.

IT IS HEREBY ORDERED THAT

A motion date pursuant to Fed. R. Crim. P. 12 (c) has been established. The defendant shall file all dispositive motions on or before **May 19, 2005** and the government's response shall be due on or before **June 2, 2005**. Whereas all pretrial matters referred to the Magistrate Judge by the District Judge have been resolved, the case is hereby returned to the District Judge.

HONORABLE JOYCE LONDON ALEXANDER  
U.S. MAGISTRATE JUDGE

By the Court:

June 30, 2005

Date

/S/ Rex Brown

Courtroom Clerk

(617) 748-9238